

The United States District Court
For Western District of Oklahoma

Index

Authorities and Appendix

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Athorities

X

TITLE 28 PART IV CHAPTER 85 § 1331

Federal question

The district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.

XI

SUPREME COURT OF THE UNITED STATES

88 U.S. 162

Minor v. Happersett

Argued: February 9, 1875 — Decided: March 29, 1875

The Constitution does not, in words, say who shall be natural-born citizens. Resort must be had elsewhere to ascertain that. At common-law, with the nomenclature of which the framers of the Constitution were familiar, *it was never doubted that all children born in a country of parents who were its citizens became themselves, upon their birth, citizens also. These were natives, or natural-born citizens*, as distinguished from aliens or foreigners. Some authorities go further and include as citizens children born within the jurisdiction without reference to the citizenship of their [p168] parents. As to this class there have been doubts, *but never as to the first*. For the purposes of this case it is not necessary to solve these doubts. It is sufficient for everything we have now to consider that all children born of citizen parents within the jurisdiction are themselves citizens. The words "all children" are certainly as comprehensive, when used in this connection, as "all persons," and if females are included in the last they must be in the first. That they are included in the last is not denied. In fact the whole argument of the plaintiffs proceeds upon that idea.

(emphasis added)

Appendix

Appendix I...The Citizen's Almanac Authorities page & page 4 only

Appendix II.....DHS/USCIS/AAO Appeal

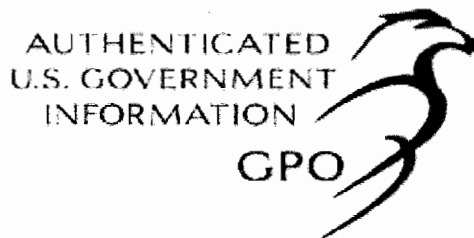
Appendix III.....FOIA combined

Appendix IV.....GPO response

Appendix V.....NEH response

Appendix VI.....Ombudsman response

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U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services, Office of Citizenship, *The Citizen's Almanac*, Washington, DC, 2007.

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individual freedom. In cases where religious practices hurt the common good or endanger the health of others, the Supreme Court has imposed minor limitations on the way some religious practices are performed.

★ **Right to a prompt, fair trial by jury.**

People accused of a crime have the right to a speedy and fair trial by a jury of peers. In a free society, those accused of a crime are assumed innocent until proven guilty in a court of law. The American system of justice treats all people fairly, ensuring the rights of the individual are maintained.

★ **Right to keep and bear arms.**

The Constitution protects the rights of individuals to have firearms for personal defense. This privilege is subject to reasonable restrictions designed to prevent unfit persons, or those with the intent to criminally misuse guns or other firearms, from obtaining such items.

★ **Right to vote in elections for public officials.**

By voting in federal, state, and local elections, citizens choose their government leaders. The right to vote is one of the most important liberties granted to American citizens. It is the foundation of a free society.

★ **Right to apply for federal employment.**

Public service is a worthy endeavor and can lead to an extremely rewarding career working for the American people. Many federal government jobs require applicants to have U.S. citizenship. As a U.S. citizen, you can apply for federal employment within a government agency or department.

★ **Right to run for elected office.**

U.S. citizenship is required for many elected offices in this country. Naturalized U.S. citizens can run for any elected office they choose with the exception of President and Vice President of the United States, which require candidates to be native-born citizens.

★ **Freedom to pursue "life, liberty, and the pursuit of happiness."**

As a society based on individual freedom, it is the inherent right of all Americans to pursue "life, liberty, and the pursuit of happiness." The United States is a land of opportunity. People are able to choose their

Department of Homeland Security
U.S. Citizenship and Immigration Services

**Form I-290B, Notice
of Appeal or Motion**

In the Matter of: **Steven Lee Craig**

File Number: **A -**

START HERE - Please Type or Print (Use black ink)

For USCIS Use Only

Part 1. Information About You (Individual/Business/Organization filing appeal or motion)

Family Name	Given Name	Middle Name
Craig	Steven	Lee
Name of Business/Organization (if applicable)		
na		
Mailing Address - Street Number and Name		Apt. #
1309 Hisel Rd		
C/O (in care of):		
na		
City	State or Province	Zip/Postal Code
Del City	Oklahoma	73115
Country	Daytime Phone # (Area/Country Code)	
Oklahoma	(405) 670 1784	
Fax # (Area/Country Code)	E-Mail Address (if any)	
()	slcraigre@aol.com	

☐ I am an attorney or representative. If you check this box, you must provide the following information about the person or organization for whom you are appearing. (NOTE: You must attach a Form G-28, Notice of Entry of Appearance as Attorney or Representative.)

Family Name	Given Name	Middle Name
Complete Name of Business/Organization/School (if applicable)		
A # (if any)	Daytime Phone # (Area/Country Code)	
	()	
Fax # (Area/Country Code)	E-mail Address (if any)	
()		

Returned	Receipt
Date	
Date	
Resubmitted	
Date	
Date	
Reloc Sent	
Date	
Reloc Rec'd	
Date	
Date	Remarks

Part 2. Information About the Appeal or Motion

Check the box below that best describes your request. (Check one box.)

- A. ☒ I am filing an appeal. My brief and/or additional evidence is attached.
- B. ☐ I am filing an appeal. My brief and/or additional evidence will be submitted to the AAO within 30 days.
- C. ☐ I am filing an appeal. No supplemental brief and/or additional evidence will be submitted.
- D. ☐ I am filing a motion to reopen a decision. My brief and/or additional evidence is attached.
- E. ☐ I am filing a motion to reconsider a decision. My brief is attached.
- F. ☐ I am filing a motion to reopen and a motion to reconsider a decision. My brief and/or additional evidence is attached.



Form I-290B (Rev. 02/10/09) Y

In the Matter of: **Steven Lee Craig**File Number: **A -****Part 2. Information About the Appeal or Motion (Continued)**

Information on the relating application/petition.

Application/Petition Form #	Receipt #	Date of Denial (mm/dd/yyyy)	USCIS Office Where Decision Issued
N-600	7009141000014536	12/22/2009	Oklahoma City

Part 3. Basis for the Appeal or Motion**Motion to Reopen:** The motion must state new facts and must be supported by affidavits and/or documentary evidence.**Motion to Reconsider:** The motion must be supported by citations to appropriate statutes, regulations, or precedent decisions.**Appeal:** Provide a statement explaining any erroneous conclusion of law or fact in the decision being appealed.

Appeal presented under the authority of 341.6 of the Act and delivered within the time period allowed.

Assertion:

The Field Officer Director, Jose R. Olivares, erred in determining that the 'USCIS need not issue you anything further.'

Authority:

The United States Citizenship and Immigration Service, USCIS, is instituted under the umbrella of the Department of Homeland Security, DHS, and assumed the authority to determine who may and may not be eligible for President and/or Vice President of the United States based on birth circumstances as evidenced in the USCIS publication M-76, The Citizens Almanac, which received it's authority as indicated on page ii stating the following;

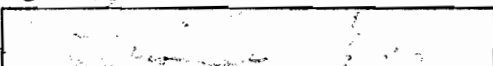
"U.S. GOVERNMENT OFFICIAL EDITION NOTICE

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Part 4. Signature of Person Filing the Appeal/Motion or His or Her Authorized Representative

Signature	Signer's Printed Name	Date (mm/dd/yyyy)
	Steven Lee Craig	06/25/2010

Make sure your appeal or motion is complete before filing.

Steven Lee Craig
1309 Hisel Rd Del City, OK 73115 405-670-1784
Re: N-600 / I-290B

Appeal presented under the authority of 341.6 of the Act and delivered within the time period allowed.

Assertion:

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U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services, Office of Citizenship, The Citizen's Almanac, Washington, DC, 2007."

Found on page #4 of the above cited authority will be found the following;

* Right to run for elected office.

U.S. citizenship is required for many elected offices in this country. Naturalized U.S. citizens can run for any elected office they choose with the exception of President and Vice President of the United States, which require candidates to be native-born citizens.

Although an idiom used in M-76, 'The Citizens Almanac', is not found anywhere in the Constitution and may or may not be consistent with the circumstances intended by the Constitution it remains clear in reading and intent of the statement that the USCIS, under authority of the DHS, has assumed the ability and authority to determine, insofar as citizenship eligibility is concerned, who may and/or may not be a 'qualified/eligible citizen' for the purpose of obtaining to the offices of President and/or Vice President of the United States of America.

Therefore I renew my request for certification as a citizen Constitutionally eligible for the offices of President and or Vice President insofar as the subject of citizenship is concerned, that of being a (American) Natural Born Citizen.

Respectfully submitted;

Steven Lee Craig
1309 Hisel Rd.
Del City, OK 73115

Steven Lee Craig

1309 Hisel Rd

Del City, OK 73115

405-670-1784

USCIS National Record Center

FOIA Division

Lee's Summit, MO

Freedom of Information Request

TITLE 5 > PART I > CHAPTER 5 > SUBCHAPTER II > § 552. Public information; agency rules, opinions, orders, records, and proceedings

Please provide all information, documents, memorandum, memo's, faxes, e-mails, opinions, legal opinions, conference notes, and/or any other communications, written or recorded, including, but not limited to, electronically, audio and or audio-visual, that pertains to and/or resulted in the approval, acceptance and/or authorization of the publication of the 'Paragraph' item found on page # 4 of "The Citizen's Almanac", M-76 (rev. 07/08), being specifically the following:

The Right to run for elected office.

U.S. citizenship is required for many elected offices in this country.

Naturalized U.S. citizens can run for any elected office they choose with the exception of President and Vice President of the United States, which require candidates to be *native-born citizens*.

(Emphasis added)

Your prompt response to this request to the address above is greatly appreciated.

Respectfully,



Steven Lee Craig



U.S. Citizenship
and Immigration
Services

May 13, 2010

NRC2009064630

Steven Lee Craig
1309 Hisei Road
Del City, OK 73115

Dear Steven Lee Craig:

This is in response to your Freedom of Information Act/Privacy Act (FOIA/PA) request received in this office November 16, 2009. You requested information/documents relating to page 4 of "The Citizen's Almanac."

We have completed our search for records; and did not locate any information/documents that specifically addresses page 4 of "The Citizen's Almanac." If you still believe that we have records within the scope of your request, and can provide us with additional information, we will conduct another search. If you elect to request another search, we recommend that you NOT follow the appeals procedure described below until we have completed the search.

In the event you wish to appeal this determination, you may write to the USCIS FOIA/PA Appeals Office, 150 Space Center Loop, Suite 500, Lee's Summit, MO 64064-2139 within sixty (60) days of the date of this letter. Both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

All FOIA/PA related requests, including address changes, must be submitted in writing and be signed by the requester. Please include the NRC number listed above on all correspondence with this office. Requests may be mailed to the FOIA/PA Officer at the PO Box listed at the top of the letterhead, or sent by fax to 816-350-5785. You may also submit FOIA/PA related requests to our e-mail address at uscis.foia@dhs.gov.

Sincerely,

T. Diane Cejka
Director

TO THE ATTENTION OF;

Director T. Diane Cejka

U.S. Department of Homeland Security
P.O.Box 648010
Lee's Summit, MO 64064-8010

U.S. Citizenship and Immigration Services

Re; NRC2009064630

Director T. Diane Cejka;

I am in receipt of your agencies unresponsive reply, six (6) months to the day, to the FOIA Request I submitted seeking information regarding the 'specific' passage found on page #4 of 'The Citizen's Almanac', M-76;

“* Right to run for elected office.

U.S. citizenship is required for many elected offices in this country.

Naturalized U.S. citizens can run for any elected office they choose with the exception of President and Vice President of the United States, which require candidates to be native-born citizens.”

Your inclusion of the entirety of 'Page #4' leaves me with questions in interpreting the correctness of your unresponsive response.

Before I make the decision whether to resubmit the request, which could not be more clear and specific, or appeal the unresponsiveness of your agencies 'efforts' or take alternative actions, I solicit your assistance in clarifying the meanings of your claim that there is NO information available relating to the publication of 'Page #4' of 'The Citizen's Almanac';

1] Was page #4 included in the submission to the GPO, Government Printing Office, under the color of authority of the Department of Homeland Security / USCIS?

2] Did the 'National Endowment for the Humanities' include or exclude 'Page #4' from its endorsement and support of the publication 'The Citizen's Almanac'?

3] Were any legal authorities, existing statutes, Supreme Court Opinions, or the Constitution of the United States of America consulted, reviewed and/or considered in the compilation of the asserted information contained on 'page #4' of 'The Citizen's Almanac'?

Your agencies unresponsive response to the FOIA request NRC2009064630 seems to imply that 'page #4' of 'The Citizen's Almanac', M-76, Official U.S. Government edition identified to certify its authenticity by ISBN 978-0-16-078003-5, U.S. Government Printing Office Official Edition, was included in the publication without review of the information asserted and without authorization of any agency official.

If you believe my conclusion of the unresponsive response you have returned is erroneous please respond within 72 hours of receipt of this request for clarification of your correspondence dated May 13, 2010.

Lack of response to this request for clarification will be taken to mean the conclusion is correct and will be disseminated as such to the appropriate venues.

Respectfully;

Steven Lee Craig

Slcraigre@aol.com

Delivered via E-Mail to uscis.foia@dhs.gov on May 18, 2010 9:38 am Central DST with copy to follow US Postal Service 1st Class Return Receipt.

Cc: Redacted

NRC2009064630

Eggleston, Jill A to you

From: Eggleston, Jill A <Jill.Eggleston@dhs.gov>Hide

Add to: To Do, Calendar

To: Slcraigre@aol.com

Date: Mon, May 24, 2010 3:57 pm

Mr. Craig,

This is in response to your e-mail message, copied below. Your original FOIA request, also set forth below, asked specifically for information concerning the "...approval, acceptance and/or authorization..." of a paragraph contained on Page 4 of The Citizen's Almanac pertaining to the right to run for elected office. Our "no record" response to you dated May 13, 2010, refers only to the paragraph you inquired about and not to the entire page of the document. Our search of the records did not locate any information/document that specifically dealt with the approval, acceptance or authorization of the paragraph referred to in your FOIA request, located on page 4 of The Citizen's Almanac. I trust this clarifies our response. As set forth in our letter to you of May 13th, if you wish to appeal this determination you may so by following the instructions set forth in the letter.

Jill A. Eggleston
Assistant Center Director
Department of Homeland Security
U.S. Citizenship and Immigration Services
National Records Center
FOIA/PA Division
(816) 350-5521
jill.eggleston@dhs.gov

FROM: Steven L. Craig

slcraigre@aol.com

To:

DHS Secretary, Janet Napolitano,

DHS General Counsel, Ivan K. Fong,

Director, U.S. Citizenship and Immigration Services, Alejandro Mayorkas,

Citizenship and Immigration Services Ombudsman

Inspector General, Richard L. Skinner

Individually and collectively;

Madam and Sirs;

Attached is a series of communications with the FOIA service regarding a specific item of a specific publication made available for distribution by the USCIS.

Please review and provide a response as to the DHS/USCIS position of concurrence with or demurral of the request for 'voluntary injunction' on the continued dissemination and/or distribution of the subject publication.

Should your decision be to demur please provide the 'citation of legal authority' by which a Department of the United States of America relies in disseminating and distributing information that is contrary to the requirements of the Constitution of the United States of America.

Should your decision be to concur with the request to cease and desist the dissemination and distribution of the subject publication I invite you to join with me in having the 'matter of factual finding' of the 'definition, meaning and intent' of the Constitutional 'idiom' of 'natural born citizen' legally decided before the bench of a court of competent jurisdiction.

Respectfully;

Steven Lee Craig

slcraigre@aol.com

From: GPO Help <gpoaccess@gpo.gov>
To: slcraigre@aol.com
Subject: TO; ROBERT C. TAPELLA - Public Printer [Incident: 100107-000072]
Date: Thu, Jan 7, 2010 2:18 pm

Recently you requested personal assistance from our on-line support center. Below is a summary of your request and our response.

If this issue is not resolved to your satisfaction, you may reopen it within the next 7 days.

Thank you for allowing us to be of service to you.

You can also update your question online at the GPO Help by clicking on the following link or by pasting it into your Web browser.
http://gpo.custhelp.com/cgi-bin/gpo.cfg/php/enduser/acct_login.php?p_userid=slcraigre@aol.com&p_next_page=myq_upd.php&p_iid=243069&p_created=1262890861

Subject

TO; ROBERT C. TAPELLA - Public Printer

Discussion Thread

Response (Ted Priebe) - 01/07/2010 03:18 PM
To: Steven Lee Craig

The content originator for this publication is the National Endowment for the Humanities. Please contact them directly to request corrections to the content for this specific publication.

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Thank you for contacting the U.S. Government Printing Office. If you need further assistance, please contact us via askGPO, our online help service, at <http://gpo.custhelp.com/cgi-bin/gpo.cfg/php/enduser/ask.php>. Alternatively, you may phone us locally at 202-512-1800 or toll free 866-512-1800.

Sincerely,

Ted Priebe
Director, Library Planning and Development
United States Government Printing Office
Washington, DC 20401

202-512-2015
202-680-3660 mobile
tpriebe@gpo.gov

Customer (x x) - 01/07/2010 02:01 PM
The following was forwarded to the NEH and is submitted to you regarding the content thereof.

Information Quality
National Endowment for the Humanities
Room 403
1100 Pennsylvania Avenue, NW
Washington, D.C. 20506
202-606-8428
osp@neh.gov

Sirs;

Regarding Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by the National Endowment for the Humanities and;

1. Scope

These guidelines apply to information whose dissemination is initiated or

sponsored by the National Endowment for the Humanities on or after October 1,

2002, regardless of when the information was first disseminated. The types of

information dissemination that are covered by these guidelines include the

following:

Statistics and data about national conditions in the humanities produced by this

agency or its contractors.

Analytical studies about national conditions in the humanities produced by this

agency or its contractors.

Information such as annual NEH Performance Reports presented to Congress and

intended to be released simultaneously to the public;

I believe the publication of "The Citizens Almanac", M-76, which received it's

authority as indicated on page ii stating the following;

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U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services, Office of Citizenship, The Citizen's Almanac, Washington, DC, 2007."

Within which the National Endowment for the Humanities <http://www.neh.gov> provided their support and assistance in the development of this publication.

In reference to Page #4 of the aforementioned publication, specifically;

Right to run for elected office.

U.S. citizenship is required for many elected offices in this country. Naturalized U.S. citizens can run for any elected office they choose with the exception of President and Vice President of the United States, which require candidates to be native-born citizens.

I believe that erroneous, misleading and Constitutionally inaccurate information

is expressed with the use of an idiom that is NOT to be found in the Constitution of the United States of America and 'may' be inconsistent with the 'actual' idiom used in the Constitution, that being "NATURAL born citizen",
(emphasis intended)

I say 'may' be inconsistent in effort to be scrupulously correct in saying that it is NOT a matter of 'settled law' as to the Constitutional definition of 'natural born citizen' 'may' be, but it has NOT been determined that 'natural' and 'native' is synonymous insofar as Article 2 Section 1 Clause 5 is concerned.

I welcome any research and/or legislative acts, statutes and/or legal opinions that you may have relied on in approving the use of the idiom found in the USCIS publication, if any.

Should it be the case that you were not a participant in the editing and/or approval process of this specific concern, please advise, with any additional comments you deem appropriate.

Respectfully;

Steven Lee Craig
Slcraigre@aol.com

=

Question Reference #100107-000072

Category Level 1: GPO Access
Category Level 2: Other GPO Access Question
Date Created: 01/07/2010 02:01 PM
Last Updated: 01/07/2010 03:18 PM
Status: Solved
Phone Number:
DEPLIBNUMBER:

[---001:005519:09130---]



NATIONAL
ENDOWMENT
FOR THE
HUMANITIES

OFFICE OF THE CHAIRMAN

1100 PENNSYLVANIA AVE., NW
ROOM 503
WASHINGTON, D.C. 20506
(202) 606-8310 (PHONE)
(202) 606-8588 (FAX)
WWW.NEH.GOV

APR 14 2010

Mr. Steven L. Craig
1309 Hisel Rd.
Del City, OK 73115

Re: Freedom of Information Act Request 10-32

Dear Mr. Craig:

As the National Endowment for the Humanities (NEH) official responsible for inquiries under the Freedom of Information Act (FOIA), I am responding to your FOIA request received on March 12, 2009. You have requested "any research and/or legislative acts, statutes and/or legal opinions that . . . [NEH] may have relied on in approving" the information provided under "Right to run for elected office" on page four of the U.S. Citizenship and Immigration Services' publication *The Citizen's Almanac*.

After reviewing your request, I have determined that the NEH has no responsive records containing such information. Please note that former NEH Chairman Bruce Cole's public support of *The Citizen's Almanac* was the extent to which NEH was involved in the project. If you wish to appeal this determination, you must write to the Chairman, National Endowment for the Humanities, 1100 Pennsylvania Avenue, NW, Washington, DC 20506, no later than 10 working days following your receipt of this letter. Your appeal rights are set out in the Code of Federal Regulations, at 45 C.F.R. § 1100.5. There is no fee for providing this information.

Sincerely,

A handwritten signature in cursive script, reading "Carole M. Watson".

Carole M. Watson
Deputy Chairman

U.S. Department of Homeland Security
Mail Stop 1225
Washington, DC 20528-1225



**Homeland
Security**

June 8, 2010

Steven L. Craig
1309 Hisel Rd.
Del City, OK 73115

Re: FOIA request

Dear Mr. Craig:

We received your inquiry regarding a specific FOIA issue.

The Office of Citizenship and Immigration Services Ombudsman (CIS Ombudsman) is unable to assist in your matter because of the reason stated below.

Your letter indicated that you were seeking specific information regarding citizenship and the right to run for public office. Possessing, maintaining and disseminating general information about citizenship and political issues does not fall within the mandate of the CIS Ombudsman. The CIS Ombudsman assists individuals and employers who experience specific problems with the United States Citizenship and Immigration Services (USCIS) benefits process, largely to identify problems and to formulate recommendations to improve USCIS service.

It appears that you have already contacted the USCIS facility responsible for responding to FOIA request. The enclosed letter dated May 13, 2010 outlined USCIS' response to your request and provided an avenue to appeal that decision.

Some questions may also be answered by visiting the FOIA/PA website at: www.uscis.gov/foia.

We hope you find this information helpful.

Sincerely,

CIS Ombudsman

JR/

Cc: